

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, March 18, 1937.

The meeting was called to order at 11:00 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen C. F. Alford, C.M. Bartholomew, Simon Gillis, Mayor Tom Miller, and Councilman Oswald G. Wolf, 5; absent, none.

The minutes of the regular meeting of March 11 were read and upon motion of Councilman Wolf were adopted as read by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

It was moved by Councilman Wolf that the following named persons be granted taxicab driver's permits, in accordance with the recommendation of Roy J. Smith, Captain of Police, Traffic Division: M. L. Foster, 209 West 7th Street; Paul Weldon Prather, 511 West Elizabeth Street; Henry Rosales, 1010 East 6th Street; Matias Velasquez, 1908 Holly Street. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Councilman Wolf moved that a public hearing on the proposal to change the zoning classification of the lots fronting on the north and south sides of West 26th Street from Rio Grande to Guadalupe Streets from "B" Residence District to "C" Commercial District be called for Thursday, April 8, at 11:00 A. M.; that notice of said hearing be published as required by the Zoning Ordinance; and that the matter be referred to the Zoning Board of Adjustment for their recommendation. The motion carried by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Councilman Gillis offered the following resolution:

WHEREAS, the Checker Front Stores, Inc., acting by and through Ed Westling, lessee from the Mrs. Bertha Bohn Estate of portions of Lots 15, 16, and 17, in Block 4 of Gammel and Taylor Subdivision of Division "B" out of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, which property is situated at the southeast corner of the intersection of East Avenue and Manor Road and which property abuts the south side of Manor Road and the east side of East Avenue, and being locally known as 2225 East Avenue, has made application to the City Council of the City of Austin for permission to construct two commercial driveways across the east sidewalk area of East Avenue adjacent to the above described property as shown upon the plan hereto attached marked 2-C-683, which plan is hereby made a part of said request; and

WHEREAS, the City Council of the City of Austin has favorably considered the granting of said request; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the Checker Front Stores, Inc., acting by and through Ed Westling, lessee from the Mrs. Bertah Bohn Estate of portions of Lots 15, 16, and 17, in Block 4 of Gammel and Taylor Subdivision of Division "B" out of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, which property is situated at the southeast corner of the intersection of East Avenue and Manor Road and which property abuts the south side of Manor Road and the east side of East Avenue, and being locally known as 2225 East Avenue, is hereby permitted to construct two commercial driveways across the east sidewalk area of East Avenue adjacent to the above described property, subject to the construction of concrete ramps, curbs, driveways, sidewalks, and expansion joints as shown upon the plan marked 2-C-683, which plan is hereby made a part

of this resolution, and further subject to the condition that all concrete curbs, ramp and driveway construction done within the City streets shall be done by a bonded sidewalk contractor under the direction and supervision of the City Engineer of the City of Austin and in accordance with lines and grades furnished by the Engineering Department of the City of Austin.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Councilman Alford offered the following resolution:

WHEREAS, Texas Public Service Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Texas Public Service Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

(1) A gas main in WEST THIRTY-THIRD STREET easterly 66 feet from a point 55 feet east of the east line of Pratt Avenue, the centerline of which gas main shall be 15 feet north of and parallel to the south line of said West 33rd Street.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(2) A gas main in TOM GREEN STREET north 106 feet from a point 122 feet north of the north line of East 32nd Street, the centerline of which gas main shall be 20 feet west of and parallel to the east line of said Tom Green Street.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(3) A gas main in ROSEDALE AVENUE from West 40th Street north 235 feet, the centerline of which gas main shall be 15 feet west of and parallel to the east line of said Rosedale Avenue.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(4) A gas main in WEST FORTIETH STREET from Rosedale Avenue east 94 feet, the centerline of which gas main shall be 13 feet south of and parallel to the north line of said West 40th Street.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(5) A gas main in WEST MONROE STREET from Eva Street east 100 feet, the centerline of which gas main shall be $13\frac{1}{2}$ feet south of and parallel to the north line of said West Monroe Street.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(6) A gas main in GARDEN STREET easterly from a point 42 feet west of the west line of Chalmers Avenue to a point 106 feet east of the east line of Chalmers Avenue, the centerline of which gas main shall be 18 feet north of and parallel to the south line of said Garden Street.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(7) A gas main in WATHEN AVENUE easterly 313 feet from a point 160 feet east of Harris Boulevard, the centerline of which gas main shall be $8\frac{1}{2}$ feet south of and parallel to the north line of said Wathen Avenue.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

The Texas Public Service Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Texas Public Service Company requires definite

information upon the ground as to elevations or working points from which to base the location of their assignments, they shall apply to the City Engineering Department not less than three (3) days before such information is required. The Texas Public Service Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

AND THAT whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

THAT the work and laying of said gas mains, including the excavation in the streets and the restoration and maintenance of said streets after said mains have been laid, shall be under the supervision and direction of the City Manager, and under all the pertinent terms and conditions of the certain franchise granted to said Company by the City of Austin.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Councilman Wolf submitted the following:

"Austin, Texas
March 18, 1937

Mr. Gulton Morgan
City Manager
Austin, Texas

Dear Sir:

We, the undersigned, have considered the application of Mrs. Jesse J. Smith, owner of Lots 1 and 2, Block 4, Outlot 68, Division "D" of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, which property abuts the north side of West 28th Street and the west side of Guadalupe Street, for permission to reconstruct existing driveways now being used in conjunction with a drive-in gasoline filling station at the above described location and for permission to continue to maintain and operate said drive-in gasoline filling station and for permission to set the curb back from the established curb line on the north side of West 28th Street at the above described location, and we hereby advise that the following conditions exist:

The property upon which this filling station is to be located is designated as "C" Commercial Use District upon the zoning maps of the City of Austin.

A storm sewer inlet exists on the north side of West 28th Street at a location west of Guadalupe Street adjacent to the above described property.

We recommend that Mrs. Jesse J. Smith be granted permission to reconstruct said commercial driveways and to properly take care of the drainage condition created by or resulting from the construction, maintenance, or operation of said drive-in gasoline filling station at the above described location, and to construct curbs, ramps, and sidewalks in conjunction therewith, and to set the curb back from the established curb line on the north side of West 28th Street adjacent to the above described location as shown upon the plan hereto attached marked 2-H-539, which plan is hereby made a part of said request, and further subject to the following conditions:

(1) That all buildings and equipment shall be placed inside of the property line, correct lines to be obtained before construction starts or equipment is installed. Lines and grades to be obtained from the City Engineering Department for entrances and driveways, building lines to be approved by the City Building Inspector. That the applicant shall confer with the City Engineering Department as to the future grades of the sidewalks and gutters on the adjacent streets before he starts any construction relative to the filling station.

(2) That all construction of the filling station improvements shall be in accord with the building ordinance, the Zoning Ordinance, the Filling Station Ordinance, and in accord with the Ordinance prohibiting the disposal of commercial water or oils upon the City streets.

(3) That the grades of the station shall be such that no waste oils or water or any floor washings shall ever pass over the City sidewalk area and that all of said oils and water shall be concentrated into a combined grease and sand trap which shall be constructed in accordance with our standard plan 2-H-146 and shall be conducted by a pipe connection from said sand trap to the nearest storm sewer at the expense of the applicant. Before commencement of any construction, the applicant shall apply to the City Engineer for an estimate of the cost of that portion of the storm sewer which will have to be built within any City street or alley and shall deposit in escrow a sum equal to said estimate with the City Finance Director.

(4) That all filling station improvements, pumps, driveways, ramps, gutters, sidewalks and curbs shall be constructed of concrete at the expense of the applicant

as set forth upon the plan hereto attached, which plan bears the City Engineer's file number 2-H-539.

(5) Expansion joints shall be constructed as shown upon the plan hereto attached marked 2-H-539, and shall be of the pre-moulded type.

(6) That before use of said station, the owner shall apply to the Building Inspector for final inspection when he considers that he has complied with all the requirements of the City.

(7) That the construction of the setback area on West 28th Street shall be carried out in accordance with the accompanying plan marked 2-H-539, and that all such widened areas, driveways, or ramps and curbs shall be constructed of concrete at the expense of the applicant.

(8) That all such concrete shall be not less than 6 inches in thickness and shall be of the following proportions: 1 part cement, 2 parts of sand, and 4 parts of screened gravel or rock.

(9) That the concrete curbs adjacent to the sidewalk area shall be not less than 6 inches high and that an expansion joint not less than 3/4 inch thick shall be placed between the curb and the sidewalk as shown on the plan hereto attached marked 2-H-539.

(10) That all such expansion joints shall be of the pre-moulded type.

(11) That all concrete work within the street area shall be done by a bonded sidewalk contractor.

(12) That the applicant shall be required to clean the newly created ramp area at least twice per week and shall dispose of the debris at his expense.

(13) That all work shall be done in accordance with lines and grades furnished by the Engineering Department of the City of Austin and under the direction of the City Engineer.

Respectfully submitted,

(Sgd) J. E. Motheral
City Engineer

J. C. Eckert
Building Inspector. "

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council of the City of Austin hereby approves as a filling station site the property situated at the northwest intersection of West 28th Street and Guadalupe Street, which property is owned by Mrs. Jesse J. Smith and fronts on the north side of West 28th Street and the west side of Guadalupe Street, and is designated as Lots 1 and 2, Block 4, Outlot 68, Division "D" of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, and hereby authorizes the said Mrs. Jesse J. Smith to reconstruct existing driveways now being used in conjunction with a drive-in gasoline filling station at the above described location and to properly take care of the drainage condition created by or resulting from the construction, maintenance, or operation of said drive-in gasoline filling station, and to construct curbs, ramps and sidewalks in conjunction therewith, and to set the curb back from the established curb line on the north side of West 28th Street adjacent to the above described location, subject to the same's being constructed in compliance with all the ordinances relating thereto, and further subject to the foregoing attached recommendations and plans; and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this filling station after full compliance with all the provisions of this resolution, and said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, traffic and fire regulations; and the right of revocation is retained if, after hearing, it is found by the City Council that the said Mrs. Jesse J. Smith has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

The resolution was adopted by the following vote: Ayes, Councilmen Alford,

Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

It was moved by Mayor Miller that, in observance of Good Friday, March 26, all city activities, including all street and other outside work except such indispensable activities as the police, fire, and emergency work of the water and light division, stop at noon and be suspended for the entire afternoon of that day in deference to the religious beliefs of the city employees. The motion was unanimously adopted by a rising vote of the Council.

Mayor Miller offered the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the sum of \$1550 be and the same is hereby appropriated out of the General Fund, not otherwise appropriated, for the purpose of paying the City's part of the cost of widening West Eighth Street from Congress Avenue to Lavaca Street.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

Upon motion duly made and seconded the meeting was recessed at 11:40 A. M., subject to call of the Mayor.

Approved: Tom Miller
Mayor

Attest:

Hallie Mitchell
City Clerk

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, March 25, 1937.

The meeting was called to order at 10:45 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen C. F. Alford, C. M. Bartholomew, Simon Gillis, and Mayor Tom Miller, 4; absent, Councilman Oswald G. Wolf, 1.

The reading of the Minutes was dispensed with.

The Mayor declared the public hearing open, in accordance with published notice thereof, on the proposal of the City Council to amend the Zoning Ordinance of the City of Austin in the following particulars:

To amend the "Use" designation of the lots comprising the east one-half of Block 68, Division "E", fronting on East Avenue between East 15th Street and East 16th Street, so as to change same from "B" Residence District to "C" Commercial District, said lots being described on the map of the City Tax Assessor and Collector as Lots 6, 7, 8, 9, 10, and 11, Block 68, Division "E".

Mrs. J. W. Vaughan, property owner at 1602 East Avenue, appeared to protest the proposed change unless it were stipulated that all business buildings in this area would be of brick construction and no cheap, undesirable business establishments allowed.

Mrs. W. E. Williamson, owner of Lot 7 and proponent of the proposed change,